

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

U.S. DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Baltimore, Maryland
JFM 15 CV 1372
JUN 12 2015

DEWAYNE E. HOPKINS

Plaintiff,

vs.

AMERICAN CREDIT ACCEPTANCE,
LLC

Defendant.

Civil Action No.

JFM 15 CV 1372

NOTICE OF REMOVAL

American Credit Acceptance, LLC ("Defendant"), by its undersigned counsel, Ballard Spahr LLP, hereby provides notice pursuant to 28 U.S.C. §§ 1441 and 1446 of the removal of the above-captioned case from the District Court of Maryland for Baltimore City to the United States District Court for the District of Maryland. As grounds for removal, Defendant states as follows:

Background

1. On or about April 3, 2015, Plaintiff Dewayne E. Hopkins ("Plaintiff") filed a Complaint in the District Court of Maryland for Baltimore City ("Complaint"). A true and accurate copy of the Complaint is attached as **Exhibit A**.

2. Plaintiff's Complaint alleges causes of action under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692, *et. seq.* and the Truth in Lending Act ("TILA") 15 U.S.C. § 1601, *et. seq.*

3. On April 7, 2015, Plaintiff served Defendant with process.

Federal Question Jurisdiction

4. This Court has original jurisdiction under 28 U.S.C. § 1331 as Plaintiff alleges violations of a claim or right arising under the laws of the United States.

5. Specifically, the Plaintiff's Complaint alleges violations of the FDCPA, 15 U.S.C. § 1681 *et seq.*, and TILA 15 U.S.C. § 1601, *et. seq.*

6. Therefore, this action is subject to removal pursuant to 28 U.S.C. §§ 1331 and 1441 at the request of Defendant because Plaintiff's claims arise under the laws of the United States.

Venue

7. Under 28 U.S.C. § 1441(a), the United States District Court for the District of Maryland is the proper venue for removal because this suit is pending in the District Court for Baltimore City, Maryland, which lies within the District Court for the District of Maryland's region.

Procedural Compliance

8. Removal of this action is timely. 28 U.S.C. § 1446(b) provides that, “[t]he notice of removal of a civil action or proceeding shall be filed within thirty days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based[.]” This Notice of Removal is being filed with the United States District Court for the District of Maryland within thirty (30) days after Defendant first received notice of the filing of the Complaint.

9. Defendant attaches to this Notice of Removal as **Exhibit A**, and incorporates by reference, a copy of Plaintiff's Complaint. The Complaint is the only “process, pleadings or orders” obtained by Defendant in this action. 28 U.S.C. § 1446(a). A copy of the Complaint is also filed herewith in a PDF image file.

10. The docket in the District Court for Baltimore City, Maryland and the Complaint confirm that there are no other defendants named in the Complaint.

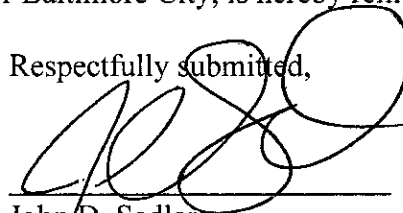
11. Defendant is serving contemporaneously with this filing a copy of this Notice of Removal upon Plaintiff. Defendant will also file with the Clerk for the District Court for Baltimore City, Maryland, a Notice of Filing of Notice of Removal, as required by 28 U.S.C. § 1446(d).

12. By filing a Notice of Removal in this matter, Defendant does not waive its right to object to service of process, the sufficiency of process, jurisdiction over the person, or venue. No admission of fact, law, or liability is intended by this Notice, and Defendant specifically reserves the right to assert any defenses and/or objections to which it may be entitled.

13. Based upon the foregoing, this Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1331, and this action is properly removed to this Court.

WHEREFORE, Defendant hereby gives notice that the above-captioned action, currently pending in the District Court of Maryland for Baltimore City, is hereby removed to this Court.

Respectfully submitted,



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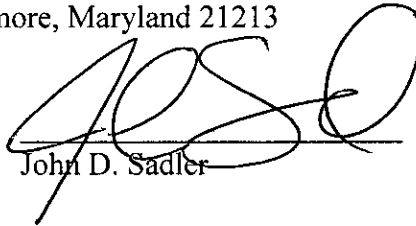
May 12, 2015

*Attorneys for Defendant American Credit
Acceptance, LLC*

CERTIFICATE OF SERVICE

This is to certify that on this 12th day of May, 2015, I caused a true and correct copy of the foregoing Notice of Removal to be delivered via first-class mail, postage prepaid, upon the following:

Dewayne E. Hopkins
1622 E. 25th Street
Baltimore, Maryland 21213



John D. Sadler